found to have large number of fradulant practices and if so, the details thereof;

(b) whether his Ministry would take legal steps in examining the working of these companies and institute criminal case against those found responsible; and

(c) whether there is any possibility of evolving guidelines to stop such clandestine nature of activities in the corporate sector and in the stock exchange?

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI K. VIJAYA BHASKARA REDDY): (a) Yes, Sir. It has been ascertained from M/s Larsen & Toubro Limited that over 1,08,000 proxies had been submitted in connection with the Extra-ordinary General Meeting of the Company. The Company was reported to have conducted a limited exercise of verifying 4,660 proxies each covering 1,000 shares and above and conveyed the results as below to LIC who had desired verification of the proxies:

Signature tallies:	738
Signature does not tally:	566
Unsigned proxies:	16
Unable to decide:	43
Specimen signature not available:	2,171
Incorrect folio Number:	20
Multiple proxies:	1,106
	4,660

It is further reported that the Police took charge of all the proxies on the basis of Orders issued by Court on a private complaint.

(b) and (c) Sub-Section (5) of section 176 of the Companies Act, 1956 already lays down that the instrument of appointing a proxy shall be in writing and be signed by the appointer or his attorney duly authorised. Sub-Section (7) of the said section further provides that every member entitled to vote at a meeting of a Company, or an any resolution to be moved thereat, shall be entitled during the period beginning twenty-four hours before the time fixed for the commencement of the meeting and ending with the conclusion of the meeting, to inspect the proxies lodged, at any time during the business hours of the Company, provided not less than three days' notice in writing of the intention so to inspect is given to the Company. Verification of proxies is not prescribed to be done by the Department of Company Affairs or its subordinate offices under the Companies Act and the question of examining the working of the Companies or evolving guidelines on the basis of alleged irregularities in proxies does not arise.

Introduction of Non-voting shares for Attraction of Capital

2745. SHRI KAMAL MORARKA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that Government are considering a proposal for introduction of non-voting shares as a new instrument to attract capital for the corporate sector;

(b) if so, whether any discussion or study has taken place in this regard; and

(c) if so, what is Government's reaction thereto?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARMANGALAM): (a) to (c) The Ministry of Finance had set up in March, 1991 a study Group under the Chairmanship of Shri M.J. Pherwani for reviewing the existing guidelines relating to fresh issue of shares and debentures, valuation of equity shares of Companies, cost of public issue of securities, listing of securities on Stock Exchanges, allotment of shares, refund of excess application money and to evolve guidelines for the consideration of the

Government regarding new financial instruments such as non-voting shares, zero coupon bonds and warrants and to make any suggestions considered relevant to the above matters. The Committee has recently submitted its report, it is understood, to the Finance Ministry.

उच्चतम न्यायालय और उच्च न्यायालयों से अभिलेखों का गायब हो जाना

2746. **श्री ईश दत्त यादव:** क्या विधि, न्याय और कंपनी कार्य मंत्री यह बताने की कृपा करेंगे कि:

(क) गत पांच वर्षों के दौरान विभिन्न उच्च न्यायालयों से अभिलेखों के गायब होने की घटनाओं की राज्यवार संख्या कितनी है तथा उच्चतम न्यायालय में ऐसी घटनाओं की संख्या कितनी है; और

(ख) अभिलेखों की चोरी के लिए जिम्मेदार अधिकारियों के विरुद्ध क्या कार्यवाही की गई है?

संसदीय कार्य मंत्रालय में राज्य मंत्री और विधि, न्याय तथा कंपनी कार्य मंत्रालय में राज्य मंत्री (श्री रंगराजन कुमारमंगलम्): (क) और (ख) प्रशासन और नियंत्रण की जिम्मेदारी सम्बद्ध वरिष्ठ न्यायालय के मुख्य न्यायमूर्ति की होती है। तदनुसार उच्च न्यायालयों और उच्चतम न्यायालय को इस विषय में लिखा जा रहा है। उनके उत्तर पर आधारित जानकारी सदन के पटल पर रख दी जाएगी।

MRTP Notice to City Bank

2747. SHRI SANTOSH BAGRODIA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether MRTP has given any notice to the City Bank for undue competition with the Public Sector Indian Banks; if so, what are the details thereof; and

(b) what is Government's plan to safeguard the interest of Indian Financial Institutions from the onslaught of foreign banks and institutions?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI RANGARAJAN KUMARAMANGALAM): (a) and (b) The MRTP Commission has not given any notice to M/s. Citibank for the alleged undue competition with public sector Indian Banks, However, a Notice of Enquiry has been issued on 30.8.1991 by an Order of the MRTP Commission to M/s. Citibank for indulging in restrictive trade practice. The MRTP Commission being a quasi-judicial body, is empowered to take necessary action in such cases in terms of the provisions of the Monopolies and Restrictive Trade Practices Act, 1969.

Extension of Tenure of Chief Executive

2748. SHRI S.S. AHLUWALIA: Will the Minister of LAW, JUSTICE AND COMPANY AFFAIRS be pleased to state:

(a) whether it is a fact that a maximum age limit is duly specified for the Chairman, Managing Director of Chairman-cum-Managing Director, in the Public Limited companies and companies in the public sector, if so, the present provision(s) in this regard;

(b) whether extension of tenure of the chief executive of public limited companies and public sector companies are allowed by Government;

(c) if so, the number of public limited companies where Chairman/MDs are on extended tenure and details of the PSUs where the CMDs/MDs are on extended tenure alongwith the number of extension, in cases where persons concerned have been allowed multiple extensions; and

(d)\what are the justifications for waiving off the provision of maximum age limit and allowing extension of tenure of the superannuating incumbents?

THE MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS AND THE MINISTER OF STATE IN THE MINISTRY OF LAW,